

## REMARKS

The applicants have carefully reviewed and considered the Office Action of 11 December 2006. In response, the applicants first wish to express their appreciation respecting the formal allowance of claims 1-19 and the substantive allowance of claim 25. The objections to the drawing sheets and the rejection of the claims will be addressed in the individual subsections presented below.

### I. THE OBJECTIONS TO THE DRAWING FIGURES

The specification has been amended to delete any reference to reference signs (A) and (B). Accordingly, the drawings do not need to be amended to include these reference signs and the objection to the drawing presented in paragraph one of the Office Action should be withdrawn.

In addition, the specification has been amended to correct a typographical error. More specifically, at page 9, line 1, reference number "58" has been changed to reference number --52--. As now provided throughout the specification, the first electrical conductor is identified by reference number 56 while the wall of the resin body is identified by reference number 52. This is consistent with the illustration presented in Figure 2 of the application and, accordingly, there is no basis for objection to the drawing figure and that objection should now be withdrawn.

Still further, page 9, line 24 of the specification has been amended to reference "electrical drive motor 86". Thus, the specification now exclusively refers to a drive motor 86 and 86 is not identified with any other structure. This is also consistent with the showing in Figure 2 and, accordingly, there is no basis for the objection to the drawing figure with regard to reference character 86 and this objection should be withdrawn.

### II. THE PROVISIONAL OBVIOUSNESS/TYPE DOUBLE PATENTING REJECTION OF CLAIMS 1, 4, 14-17, 20 AND 21 BASED UPON CO-PENDING PATENT APPLICATION 10/870,193

Submitted with this amendment is a Terminal Disclaimer referencing Panasonic's co-pending patent application serial no. 10/870,193. This Terminal Disclaimer is sufficient to overcome this provisional double-patenting rejection.

**III. THE REJECTION OF CLAIMS 20-22 AND 24 AS BEING  
ANTICIPATED BY U.S. PATENT 3,401,420 TO LOFGREN**

In response to this Office Action, independent method claim 20 has been amended to now further recite the steps of "providing the upright vacuum cleaner with a canister assembly pivotally connected to a nozzle assembly" and "providing a suction generator on one of said nozzle assembly and said canister assembly".

The Lofgren reference discloses a vacuum cleaner device incorporating an electrified hose 59 and a wand or handle 118 pivotally connected to a nozzle assembly 104 incorporating a motor driven agitator 105. Significantly, it must be noted that the Lofgren patent fails to disclose the concept of providing a canister assembly pivotally connected to a nozzle assembly where one of the canister assembly and nozzle assembly also carry a suction generator as now explicitly set forth in independent method claim 20. Accordingly, independent method claim 20 patentably distinguishes over the prior art and should be formally allowed. Claims 21, 22 and 24 which depend from independent method claim 20 and are rejected on the same grounds are equally allowable for the same reasons.

**IV. THE REJECTION OF CLAIM 23 AS BEING UNPATENTABLE OVER  
THE LOFGREN REFERENCE WHEN CONSIDERED IN FURTHER  
COMBINATION WITH U.S. PATENT 6,363,570 TO KASPER ET AL.**

As noted above, the Lofgren patent fails to disclose the concept of providing a canister assembly pivotally connected to a nozzle assembly wherein one of the canister assembly and nozzle assembly also carry a suction generator as set forth in independent method claim 20 from which claim 23 depends. The Examiner further argues that the secondary reference to Kasper

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et al "discloses a cleaning attachment having a light source (Figure 3, no. 63)." It must be appreciated, however, that the structure disclosed in Figure 3 is the base module or nozzle assembly 14 and not a separate cleaning attachment. Accordingly, the combination of references fails to disclose a separate cleaning attachment equipped with a rotary agitator and a cooperating rotary agitator drive motor much less such attachment further equipped with a light source as set forth in claim 23. Thus, claim 23 patentably distinguishes over this art and should be formally allowed.

In conclusion, the drawings and specification are in compliance with all of the formal requirements of the patent statutes. Further, all the pending claims patentably distinguish over the prior art and should be formally allowed. Upon careful review and consideration it is believed that the Examiner will agree with this proposition. Accordingly, the early issuance of a formal Notice of Allowance is earnestly solicited.

Respectfully submitted,

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